

Message Text

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ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 PM-05 H-01
INR-10 L-03 NSAE-00 PA-01 SP-02 SS-15 NSCE-00
SSO-00 ICAE-00 INRE-00 HA-05 /068 W
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FM AMEMBASSY BONN
TO SECSTATE WASHDC NIACT IMMEDIATE 0181
USMISSION GENEVA IMMEDIATE
INFO USMISSION USBERLIN IMMEDIATE
AMEMBASSY BERLIN IMMEDIATE
AMEMBASSY LONDON PRIORITY
AMEMBASSY MOSCOW PRIORITY
AMEMBASSY PARIS PRIORITY
USMISSION USNATO PRIORITY

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GENEVA FOR SECRETARY'S PARTY

E.O. 11652: GDS
TAGS: PGOV, BQG
SUBJECT: FRG PROPOSES ALLIED DEMARCHE TO SOVIETS ON
HUEBNER SENTENCING

REFS: (A) BERLIN 4508 (C) USBER 1627 AND PREVIOUS
(B) USBER 1625 (D) BONN 12639 (ALL NOTAL)

BEGIN SUMMARY. CHANCELLOR SCHMIDT AND FOREIGN MINISTER
GENSCHER HAVE ASKED THE ALLIES TO MAKE A DEMARCHE TO

THE SOVIETS ON THE SENTENCING OF NICO HUEBNER. THEY
WOULD LIKE THE ALLIES TO CONFIRM THEIR POSITION ON THE
DEMILITARIZED STATUS OF BERLIN; TO EXPRESS CONCERN
ABOUT THE HARSHNESS OF THE SENTENCE; AND TO SUGGEST
A REVIEW OF THE SENTENCE. THE FRG EXPECTS THAT THE
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ALLIES WOULD PUBLICIZE SUCH A DEMARCHE.

THE FRG PROPOSAL WAS DISCUSSED IN THE BONN GROUP
JULY 12. THE FRENCH AND THE US REPS FAVORED THE
PROPOSAL, BUT THE UK REP DOUBTED THAT LONDON WOULD
AGREE TO IT. ACTION REQUESTED: DEPT'S GUIDANCE ON AN
URGENT BASIS. END SUMMARY

1. AT THE JULY 12 BONN GROUP MEETING, THE FRG REP (VON RICHTHOFEN) SUGGESTED, AT THE REQUEST OF CHANCELLOR SCHMIDT AND FOREIGN MINISTER GENSCHER, THAT THE ALLIES RAISE THE SENTENCING OF NICO HUEBNER WITH THE SOVIETS (REF A). HE SAID THE FRG WOULD BE GRATEFUL IF THE ALLIES WOULD (1) CONFIRM AGAIN TO THE SOVIETS THEIR POSITION ON THE DEMILITARIZED STATUS OF GREATER BERLIN; (2) EXPRESS CONCERN ABOUT THE HARSHNESS OF THE SENTENCE; AND (3) SUGGEST THAT A REVIEW OF THE SENTENCE WOULD BE OF GREAT IMPORTANCE.

2. VON RICHTHOFEN ADDED THAT THE ALLIES, IF THEY WISHED, COULD POINT OUT THAT HUEBNER'S ACTION WAS DONE OUT OF PERSONAL CONVICTION. VON RICHTHOFEN COMMENTED, HOWEVER, THAT THE ALLIES MIGHT NOT WISH TO MAKE THE LATTER POINT. THE TRIAL HAD BEEN CLOSED TO THE PUBLIC, AND THERE WAS NO WAY OF DOCUMENTING HUEBNER'S MOTIVATION.

3. VON RICHTHOFEN SAID THAT, SINCE THE QUESTION WAS

ONE OF ALLIED COMPETENCE, THE FRG HAD NOT PREPARED
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A DRAFT TEXT OF AN ALLIED STATEMENT. THE FRG HAD NO PREFERENCE ON THE LEVEL AT WHICH THE PROTEST SHOULD BE MADE. HE SUGGESTED, HOWEVER, THAT IT COULD BE MADE IN BERLIN AND COULD REFER TO THE ALLIED DEMARCHE AND STATEMENT THERE OF MAY 2. THE FRG ASSUMED, HE SAID, THAT THE ALLIES WOULD PUBLICIZE THEIR DEMARCHE. THE FRG HOPED THAT IN DOING SO THE ALLIES WOULD BE RELATIVELY DETAILED AND MENTION HUEBNER EXPLICITLY, IN CONTRAST TO WHAT WAS DONE IN THE ALLIED PRESS STATEMENT OF MAY 2. ON TIMING, THE FRG HOPED THAT THE DEMARCHE COULD BE MADE AS SOON AS POSSIBLE.

4. THE FRENCH REP (RICHARD) SAID THAT HE WOULD HAVE TO REQUEST INSTRUCTIONS. IN PRINCIPLE, HOWEVER, HIS EMBASSY FAVORED THE FRG PROPOSAL, AND HE BELIEVED THAT THE QUAI WOULD ALSO AGREE, NOT LEAST OF ALL BECAUSE OF THE REACTION IN FRANCE TO THE TRIALS OF SOVIET DISSIDENTS. FINAL AGREEMENT WOULD DEPEND ON THE PRECISE TEXT OF THE ALLIED DEMARCHE. HE NOTED

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THAT, IF PARIS AGREED, THIS DEMARCHE WOULD BE A
CONSIDERABLE CHANGE FROM THE DEMARCHE OF MAY 2, WHEN
THE ALLIES DID NOT EVEN MENTION HUEBNER'S NAME.

5. THE US REP REPORTED THAT HIS EMBASSY ALSO AGREED
IN PRINCIPLE TO MAKING A DEMARCHE TO THE SOVIETS.
HE NOTED, HOWEVER, THAT HE HAD NOT YET DISCUSSED
THE MATTER WITH WASHINGTON.

6. THE UK REP (EYERS) SAID HE THOUGHT IT HAD BEEN
THE ALLIED VIEW NOT TO INTERVENE IN INDIVIDUAL
CASES. THE SOVIET TRIALS OF DISSIDENTS MIGHT HAVE
CHANGED LONDON'S POSITION, HE COMMENTED, BUT HE
BELIEVED THAT LONDON PROBABLY WOULD CONTINUE TO FEEL
THAT AN APPROACH SUCH AS SUGGESTED BY THE FRG WOULD
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BE UNWISE. AFTER CONFIRMING WITH VON RICHTHOFEN THAT THE FRG HAD NOT PROTESTED TO THE GDR ABOUT THE SENTENCING, HE SAID HE FELT THAT UNDER THE CIRCUMSTANCES THE CHANCES WERE SMALL THAT LONDON WOULD AGREE TO AN ALLIED DEMARCHE.

7. VON RICHTHOFEN REPLIED THAT THE FRG VIEWED THE QUESTION AS ONE ESSENTIALLY OF ALLIED COMPETENCE. IF THE ALLIES MADE AND PUBLICIZED A DEMARCHE, HE EXPECTED THE FRG THEN TO ASSOCIATE ITSELF WITH IT.

8. EYERS QUESTIONED THE PURPOSE OF THE DEMARCHE. HE SAID THE ALLIES ALREADY HAD REPEATED TO THE SOVIETS THEIR POSITION ON THE DEMILITARIZED STATUS OF BERLIN. AS FOR THE HUMANITARIAN SIDE OF THE QUESTION, ALL THE PUBLICITY HAD PROBABLY EVOKED THE HARSH SENTENCE FROM THE GDR. HE DOUBTED THAT MORE WOULD DO HUEBNER ANY GOOD. IN ANY EVENT, THE SOVIETS WOULD PROBABLY REPLY, "A GDR COURT IS A GDR COURT. TALK TO THEM."

9. VON RICHTHOFEN DISAGREED. HE SAID THE FRG WAS ASKING THE ALLIES THIS TIME TO REFER EXPLICITLY TO HUEBNER. THE FRG WAS IN FACT HOPEFUL THAT AN ALLIED REQUEST FOR A REVIEW OF THE SENTENCE WOULD BENEFIT HUEBNER.

10. IT WAS AGREED IN THE BONN GROUP TO SEEK GUIDANCE FROM CAPITALS, AFTER WHICH A DRAFT TEXT COULD BE PREPARED. VON RICHTHOFEN AGAIN STRESSED THE URGENCY OF THE MATTER AND EXPRESSED HIS HOPE THAT THE ALLIES WOULD BE PREPARED TO DISCUSS IT THE AFTERNOON OF JULY 13. HE COMMENTED THAT HE COULD IMAGINE THAT IT

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MIGHT BE A TOPIC OF DISCUSSION AT THE FOREIGN MINISTERS' QUADRIPARTITE BREAKFAST IN BONN ON JULY 17 (REF D). HE STRESSED, HOWEVER, THAT RAISING IT IN THAT FORUM HAD NOT BEEN DISCUSSED IN THE FEDERAL GOVERNMENT.

11. ACTION REQUESTED: DEPT'S GUIDANCE ON AN URGENT BASIS.
STOESSEL.

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